

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

HORACIO OLVERA,

Plaintiff,

vs.

CELADON TRUCKING SERVICES,
INC., MARNEKIA JOVONA CARTER,

Defendants.

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SA-19-CV-00199-ESC

ORDER

Before the Court in the above-styled cause of action is Defendant's Notice of Suggestion of Pendency of Bankruptcy and Automatic Stay of Proceedings [#34]. By its notice, Defendant Celadon Trucking Services informs the Court that it has filed a Voluntary Petition for relief under Chapter 11 of the Bankruptcy Code in the United States Bankruptcy Court of Delaware and that the automatic stay provisions of 11 U.S.C. § 362 apply to these proceedings.

Section 362 provides that a petition filed under the any chapter of the Bankruptcy Code operates as a stay of "the commencement or continuation, including the issuance or employment of process, of a judicial, administrative, or other action or proceeding against the debtors that was or could have been commenced before the commencement of the case under this title, or to recover a claim against the debtor that arose before the commencement of the case under this title." 11 U.S.C. § 362(a)(1). Accordingly,

IT IS HEREBY ORDERED that all claims against Defendant Celadon Trucking Services are **STAYED** pending the resolution of the Chapter 11 bankruptcy proceeding.

IT IS FURTHER ORDERED that Defendant Celadon Trucking Services file quarterly status reports with the Court regarding the Chapter 11 bankruptcy proceeding, with the first

report due on March 16, 2020. Additional reports should follow on June 16, 2020, September 16, 2020, and December 16, 2020.

IT IS FINALLY ORDERED that this case will proceed against Defendant Marnekia Jovona Carter and the hearing on Defendants' Motion to Exclude [#26] remains set for January 8, 2020 at 10:30 a.m.

SIGNED this 16th day of December, 2019.



ELIZABETH S. ("BETSY") CHESTNEY
UNITED STATES MAGISTRATE JUDGE